

Mr RS Cheema, Sr Advocate, with
Mr JS Mehendiratta, Advocate.
Mr Vikas Chaudhary, AAG Haryana.

Heard counsel for the parties.

The son of the complainant - Kulwant Singh namely Ravinder Singh @ Laadi had, in the evening of 2.10.2006, at about 5 p.m. gone along with Mahesh @ Shunty (petitioner-2) and Mandeep son of Mukhtiar (petitioner-1) and one Amrish @ Bobby (non-petitioner). Thereafter, Manjit Singh who had gone in connection with some work to Panipat told the complainant that Ravinder Singh @ Laadi and the aforesaid accused were seen quarrelling at the country made liquor vend. The complainant went there. However, no one was found present there. Then the complainant along with his relatives made a search for his son. Later, the motorcycle of the son of the complainant and his vest were found from the liquor vend. The matter was inquired into. In terms of the statement (Annexure P1), of Manjit Singh under Section 161 CrPC, he stated that on 2.10.2006 he boarded a jeep from Ram Lal Chowk and due to rush in the jeep, he sat on the top of the jeep. He further stated that when the jeep was passing by the country made liquor vend, he saw that petitioners and Bobby were beating Laadi aforesaid. He requested the jeep driver to stop the same but he did not stop. Sajjan Singh, Ex Sarpanch made statement (Annexure P2) in which he stated that the petitioners and also Amrish @ Bobby came and made confession one by one before him regarding beating up of Ravinder @ Laadi. The motive for the murder is stated to be that both were young boys and had fought amongst themselves which led to the death of Ravinder @ Laadi. The petitioners are in custody since 4.10.2006. The

trial in the case is going on. In terms of the order dated 23.5.2007, examination-in-chief of 4 PWs has been recorded and the case is now fixed for 27.7.2007. The trial in the case is likely to take time. Learned counsel for the complainant has referred to the post-mortem report to contend that the injuries that were found on the person of the deceased have been opined by the doctor to be ante-mortem in nature. The cause of death, however, is recorded to be due to asphyxia due to drowning which was opined to be ante-mortem in nature and sufficient to cause death in the ordinary course of life. The effect of the injuries and the cause of death is to be considered by the trial Court after evidence has been led. It would be improper for this Court to go into the merits of the case at this stage. Therefore, without commenting anything on the merits of the case, lest it may prejudice the case of either side, the petitioners, on their furnishing personal bond and surety each to the satisfaction of CJM Panipat, shall be admitted to bail.

Disposed of.

24.5.2007.
ASR

(S.S.SARON)
JUDGE